

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:22-CV-111-D

CA WASHINGTON, LLC,

)

Plaintiff,

)

v.

)

KASPIEN, INC.,

)

Defendant.

)

ORDER

On May 20, 2022, plaintiff moved to dismiss defendant's counterclaims for failure to state a claim upon which relief can be granted [D.E. 14] and filed a memorandum in support [D.E. 15]. On June 9, 2022, defendant responded in opposition [D.E. 16]. On June 23, 2022, plaintiff replied [D.E. 18].

The court has reviewed defendant's counterclaims under the governing standard. See Fed. R. Civ. P. 12(b)(6); Ashcroft v. Iqbal, 556 U.S. 662, 677–78 (2009); Bell Atl. Corp. v. Twombly, 550 U.S. 544, 555–63, 570 (2007); Coleman v. Md. Court of Appeals, 626 F.3d 187, 190 (4th Cir. 2010), aff'd, 566 U.S. 30 (2012); Nemet Chevrolet, Ltd. v. ConsumerAffairs.com, Inc., 591 F.3d 250, 255 (4th Cir. 2009); Giarratano v. Johnson, 521 F.3d 298, 302 (4th Cir. 2008). The court DENIES plaintiff's motion to dismiss [D.E. 14].

SO ORDERED. This 3 day of October, 2022.

J. Dever
JAMES C. DEVER III
United States District Judge